



Knowsley Council

**REGENERATION AND ECONOMIC DEVELOPMENT
DEPARTMENT**

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION

Application No: 22/00329/FUL

Name and address of applicant

Mr and Mrs Crosby
Woodlands Lodge Lane
Knowsley
Cronton
WA8 4QB

Name and address of agent

Wake Morley Architects Ltd
1 Dunford Road
Holmfirth
HD9 2DP

Date of Receipt: 31 May 2022

Date Valid: 27 June 2022

Address/Location Of Development:

Woodlands
Lodge Lane
Cronton
Knowsley
WA8 4QB

Description of Development:

VARIATION OF CONDITION NO.2 (APPROVED PLANS) OF PLANNING PERMISSION 21/00633/FUL (DEMOLITION OF EXISTING DWELLING, GARAGE AND OUTBUILDINGS AND THE ERECTION OF A DETACHED FIVE BEDROOM DWELLING WITH ATTACHED GARAGE INCLUDING THE ERECTION OF A FRONT BOUNDARY 1.91M HIGH WALL WITH ELECTRIC VEHICLE ENTRANCE GATES TO LODGE LANE TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING) TO ALLOW FOR AMENDMENTS TO APPROVED PLANS TO CHANGE INTEGRAL GARAGE TO HABITABLE ROOM WITH BI-FOLD DOORS

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been **granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that

Order with or without modification) Schedule 2, Parts 1 a) - f) and 2 a) - b), or any amendments made to that Order, shall not apply:

- i. no extensions shall be carried out to the dwelling
- ii. no garages or carports shall be erected within the curtilage of the dwelling
- iii. no vehicle standing space shall be provided within the curtilage of the dwelling
- iv. no buildings, gates, walls, fences or other structures shall be erected within the curtilage of the dwelling
- v. no means of access shall be constructed to the curtilage of the dwelling
- vi. no windows or dormer windows shall be added to the dwelling

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: To protect the residential and visual amenities of the area, safeguard the character of this residential development and to comply with the National Planning Policy Framework; Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

3. As advised within the Desk Study with Walkover Survey, prepared by Sub Surface, Report No. 7425 (February 2022) submitted and agreed pursuant to Condition 5 of planning permission granted under reference 21/00633/FUL a watching brief shall be undertaken during groundworks.
 - a) If significant made ground is identified or if visual or olfactory evidence of contamination is noted, then the Local Planning Authority shall be informed immediately.
 - b) If material is imported onto site (either topsoil or subsoil) for areas of garden or landscaping, then demonstrable evidence shall be provided that it is suitable for use.
 - c) Asbestos sheeting noted during the site walkover shall be appropriately disposed of.

In any event the applicant/developer is requested to contact the Council's Environmental Health Team (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site.

Prior to the first occupation of the dwelling, details confirming whether or not any of the actions were required and evidence of the appropriate disposal of asbestos shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of preventing contamination in the interests of human health and to prevent pollution of the water environment and to comply with the National Planning Policy Framework, Policy CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

4. No construction / demolition work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents and to comply with the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local

Plan: Core Strategy, adopted January 2006 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

5. The development hereby permitted shall be carried out in accordance with Drawing No: P.1600.22.02 - Landscape Mitigation Plan Sheets 1 and 2 submitted pursuant to Condition 7 of planning permission referenced 21/00633/FUL.

The tree planting shall be wholly implemented in its finally approved form in accordance with the approved scheme within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

Reason: In the interests of visual amenity, to allow for the continuation of tree cover within the area and to comply with the National Planning Policy Framework, Policies CS8 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016; Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Trees and Development SPD.

6. The protective fencing referred to in the approved Arboricultural Method Statement, received 20 October 2021 in support of planning permission referenced 21/00633/FUL, prepared by We Know Services referenced 21/00064/AMS (September 2021) shall be retained in place until the development is complete.

Reason: To ensure that the proper protection of trees has been carried out in the Interest of visual amenity and to comply with the National Planning Policy Framework, Policies CS2, CS19, CS8 and CS21 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Trees and Development SPD (2016).

7. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows, and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: To safeguard protected species and to comply with the National Planning Policy Framework and Policies CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

8. The development hereby permitted shall not be occupied until:
 - a) The bird and bat boxes as indicated on Drawing No. P.1600.22.01 submitted and agreed pursuant to Condition 10 of planning permission granted under reference 21/00633/FUL have been installed in accordance with the agreed details; and
 - b) Evidence that the boxes have been installed in accordance with the agreed details has been submitted to the Local Planning Authority.

Reason: To safeguard protected species and to comply with the National Planning Policy Framework and Policy CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

9. The following measures shall be undertaken during the construction phase of the development hereby approved:
- a) Existing vegetation on the site shall be gradually cut and removed under ecological supervision to encourage any amphibians / reptiles present to move away from the affected areas;
 - b) The working area, together with any storage areas, shall be kept clear of debris, and any stored materials shall be kept off the ground on pallets so as to prevent amphibians / reptiles from seeking shelter or protection within them; and
 - c) Any open excavations (e.g. foundations / footings / service trenches etc) shall be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets shall be covered with a thick layer of topsoil or similar to prevent amphibians / reptiles from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles.

Reason: To safeguard Great Crested Newt and other reptiles and to comply with the National Planning Policy Framework and Policies CS2 and CS8 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
31/05/2022	00_01A	-	LOCATION PLAN
31/05/2022	02_01C	-	PROPOSED PLANS AND ELEVATIONS
15/09/2022	1704	REV A	PROPOSED MATERIALS FOR APPROVAL
07/12/2021	-	-	PROTECTED SPECIES SURVEY STATEMENT - AMPHIBIAN 'HABITAT INDEX' (HSI) ASSESSMENT OF PONDS IN PROXIMITY TO SITE.
07/12/2021	-	-	PROTECTED SPECIES SURVEY STATEMENT (BATS)
20/10/2021	21/00064/AIA	FIRST ISSUE	ARBORICULTURAL IMPACT ASSESSMENT (SEPTEMBER 2021)
20/10/2021	21/00064/AMS	FIRST ISSUE	ARBORICULTURAL METHOD STATEMENT (SEPTEMBER 2021)

REASON(S) FOR THE GRANTING OF PLANNING PERMISSION

The decision to grant planning permission has also been taken having regard to the policies and proposals as set out below, and to all relevant material considerations including supplementary planning guidance:-

CS7 - Transport Networks
 CS8 - Green Infrastructure
 CS19 - Design Quality and Accessibility in New Development
 CS20 - Managing the Borough's Historic Environment
 CS21 - Greenspaces and Trees
 CS22 - Sustainable and Low Carbon Development
 CS24 - Managing Flood Risk
 CS26 - Waste Management
 The Joint Merseyside and Halton Waste Local Plan 2013
 WM8 - Waste Prevention and Resource Management

SUPPLEMENTARY PLANNING DOCUMENTS

Amended New Residential Development SPD (2018)

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 - Green Belt

This informative is only intended as a summary of the reason(s) for the granting of planning permission. Should you require any further details relating to the decision please contact the relevant case officer (Maxine Wishart on 0151 443 2381)

ARTICLE 35 STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

NOTE FOR APPLICANT:

IMPORTANT - PLEASE READ CAREFULLY THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED

- 1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform Planning Services immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.
- 2) This permission is granted subject to conditions and it is the owner of the property and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.
- 3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent.
 - a) If a condition precedent is not complied with prior to the start of development, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - b) In addition, if the requirements of a condition precedent are subsequently not complied with, the development is unauthorised and the only way to rectify the development is the submission of a new application.

If any other type of condition is breached, then you will be liable to a breach of condition notice.

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

2 *Water Vole*

The ditch running along the eastern boundary of the site may provide habitat for water vole. To avoid undue disturbance and to safeguard water voles which are a protected species, in line with best practice guidance (1) no works should be carried out within a minimum of 5 metres of the top of the bank.

(1) Dean, M., Strachan, R., Gow, D. and Andrews, R. (2016). *The Water Vole Mitigation Handbook (The Mammal Society Mitigation Guidance Series)*. Eds Fiona Mathews and Paul Chanin. The Mammal Society, London.

3 *European protected species*

The applicant, their advisers and contractors should be aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.



Executive Director - Regeneration and Economic Development

Date: 4 October 2022

IMPORTANT NOTES FOR YOUR ATTENTION:

- 1. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**
- 2. This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**
- 3. You should ensure that you understand the requirements of all planning conditions and that you fully comply with their requirements. If you are in any doubt about what a condition requires of you, please ask us for assistance. Planning conditions may require you to submit further information to us and await our approval before you can start your development. A failure to do so could result in your development being unlawful and necessitate the submission of a further planning application. A failure to comply with the conditions of the permission/consent may result in the taking of enforcement and potentially legal action, against you to remedy the breach of planning control.**
- 4. A fee is normally payable to discharge planning conditions in accordance with government regulations.**
- 5. This permission does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by you, including on party boundaries. You should satisfy yourself that the agreement of any adjoining landowners has been given prior to commencing any building works.**
- 6. If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works. Knowsley Council's Building Control team are contactable on (0151)-443 2342 and they would be pleased to assist you.**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.